

Kerala Gazette No. 19 dated 11th May 2010.

PART II

Section i



GOVERNMENT OF KERALA

Secretariat of the Kerala Legislature

NOTIFICATION

No. 1467/Legn. 3/2010/Law.

Dated, Thiruvananthapuram, 4th May, 2010.

The Kerala Panchayat Raj (Amendment) Bill, 2010 together with the Statement of Object and Reasons, the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

P. D. RAJAN,

*Secretary,
Legislative Assembly.*

[Translation in English of “2010-ലെ കേരള പഞ്ചായത്ത് രാജ് ഭേദഗതി ബിൽ”
published under the authority of the Governor.]

TWELVTH KERALA LEGISLATIVE ASSEMBLY

BILL NO. 327

THE KERALA PANCHAYAT RAJ (AMENDMENT)

BILL, 2010

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BILL

further to amend the Kerala Panchayat Raj Act, 1994.

*Preamble:—*WHEREAS, it is expedient further to amend the Kerala Panchayat Raj Act, 1994 (13 of 1994) for the purposes hereinafter appearing;

BE it enacted in the Sixth first Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Panchayat Raj (Amendment) Act 2010.

(2) It shall come into force at once.

2. *Amendment of section 154.*—In section 154 of the Kerala Panchayat Raj Act, 1994 (13 of 1994), after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) Where the President or Vice President of a Panchayat refuses to hand over charge of his office or any documents or any moneys or other properties vested in, or belonging to the Panchayat which are in or has come into his possession or control, to his successor in office or other prescribed authority as soon as his term of office as President or Vice President expires and in the case of the Vice President also on demand by the President, such President or Vice President shall, on conviction be punished with fine not exceeding ten thousand rupees for such offence”.

STATEMENT OF OBJECTS AND REASONS

In sub-section (3) of section 512 of the Kerala Municipality Act, 1994 it is provided that where the Chairperson or Deputy Chairperson of a Municipality refuses to hand over any documents or any moneys or other properties which are in his possession, to his successor in office or other prescribed authority as soon as his term of office as Chairperson or Deputy Chairperson expires and in the case of the Deputy Chairperson of Deputy Chairperson expires and in the case of the Deputy Chairperson on demand by the Chairperson, such Chairperson or Deputy Chairperson shall, on conviction be punished with fine not exceeding ten thousand rupees for such offence. It has come to notice that due to the non-inclusion of such a provision in the Kerala Panchayat Raj Act, 1994 the Presidents and the Vice Presidents of many Panchayats who had vacated their offices are not vigilant in the timely return of the documents in their possession, Government have decided to amend the Kerala Panchayat Raj Act by inserting a provision similar to sub-section (3) of section 512 of the Kerala Municipality Act 1994 in section 154 of the Kerala Panchayat Raj Act, 1994.

2. In order to achieve the above object, this Bill is intended to make amendment in the Kerala Panchayat Raj Act, 1994.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

PALOLI MUHAMMED KUTTY